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PATENT APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

~~In re~~ Patent Application of:

Applicant: Sailor et al.

Serial No.: 10/731,220

Filed: December 9, 2003

For: POROUS SILICON-BASED
 EXPLOSIVE

Conf. No. 4581

Art Unit: 3725

Examiner: Gellner, Jeffrey L.

I hereby certify that this paper is being deposited with the United States Postal Service First-Class Mail in an envelope addressed to: Commissioner for Patent, P.O. Box 1450, Alexandria, VA, 22313-1450, on:

September 27, 2005

DATE _____

Attorney for Applicants
Registration No. 44,159

RESTRICTION REQUIREMENT TRANSMITTAL

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

- (X) Enclosed is a Response to Restriction Requirement.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R. 1.16-1.17, or credit any overpayment, to Deposit Account No. 07-2069. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 07-2069. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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September 27, 2005
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Serial No.: 10/731,220
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I hereby certify that this paper is being deposited with the United States Postal Service as FIRST-CLASS mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

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Date

F-CLASS.WCM

Appr. February 20, 1999 Attorney for Applicant(s)

Registration No. 44,159

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated September 15, 2005, Applicant has amended the claims, partially rendering moot the Restriction Requirement.

More particularly, Applicant has amended Groups III and V to depend from claim 1 of Group I. Accordingly, while Applicant provisionally elects the claims of Group I for prosecution, Applicant notes that, as amended, Group I now includes claims 1-12, 14-26 (formerly Group III) and 28 (formerly Group V).

Claim 13 (Group II) is canceled, without prejudice.

Claim 16 (Group III) is canceled, without prejudice.

Finally, Applicant traverses the restriction of Group IV (claim 27), insofar as it has been amended to more clearly recite the invention. Specifically, claim 27 is presently amended to recite, "[a] method of using an initiator explosive device to initiate an explosive reaction...". Accordingly, Group IV (claim 27) is clearly related to the

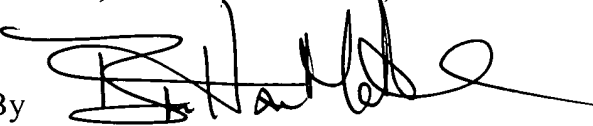
“initiator explosive device” of claim 1, and there is little, if any, added burden by maintaining the claims of original Groups I, III, IV and V for simultaneous prosecution.

For these reasons, reconsideration of the restriction requirement is requested.

In the event there are additional issues which may be resolved by telephone, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

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